

NO. 3

AN ORDINANCE

GRANTING A FRANCHISE TO THE CITY OF SAN ANTONIO
FOR THE DISTRIBUTION OF ELECTRICITY AND PROVIDING
FOR THE PAYMENT OF A RENTAL FOR THE USE OF THE
STREETS, ALLEYS AND PUBLIC WAYS

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF SOMERSET, TEXAS:

SECTION 1. That the City of San Antonio, a municipal corporation of the State of Texas, and its assigns, hereinafter called "Grantee," is hereby granted, for a term of twenty-five (25) years from and after the date of this Ordinance, the right to construct, maintain and operate within the City of Somerset, Bexar County, Texas, hereinafter called "City," electric distribution facilities for the purpose of furnishing said City and the inhabitants thereof and adjacent thereto, electric energy for lights, power, heat, and such other uses to which electric energy is now or may be hereafter applied; and for such purposes the said Grantee and its assigns is hereby given the right to place, construct, lay and maintain in, on and under the public streets, alleys and public ways of grantor City at such locations as may conform to valid ordinances and regulations of the City, for the period aforesaid, all necessary poles, crossbeams, brackets, wires, conduits, manholes and other apparatus and appliances requisite or proper for the operation of an electric distribution system.

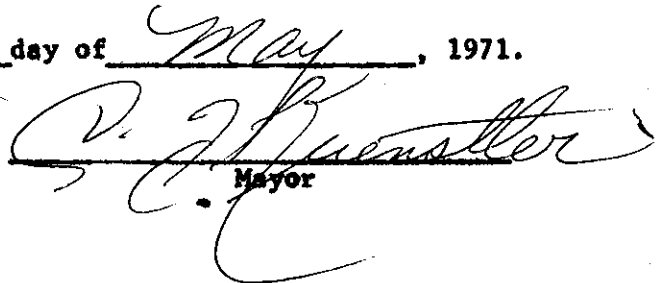
SECTION 2. The rights, privileges and permits herein granted shall at all times be subject to the valid ordinances and regulations of the said City regulating and controlling the location of electric poles and facilities and to all other present and future valid ordinances and regulations of the City.

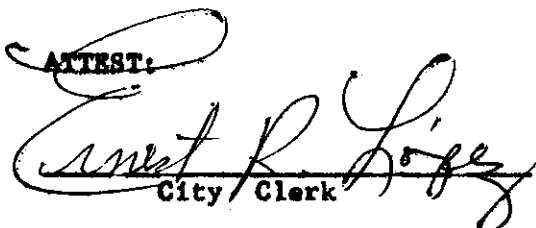
SECTION 3. Said Grantee and its assigns, so long as any of the rights granted hereunder are exercised, shall pay to the City as a rental charge for the use of said streets, alleys and public ways two percent of its gross receipts from the sale of electric energy in grantor City, such payment to be in lieu of and shall cover all charges and impositions of every kind based upon the distribution or sale of electric energy and the use of streets, alleys and public ways of the City.

SECTION 4. On or before one month after the close of each three-month period after the date of this Ordinance, the Grantee shall furnish to the City a true and correct statement of the gross receipts from the sale of electricity in the grantor City during such three-month period, accompanied by payment to grantor City of an amount equal to two percent of said gross receipts, and the grantor City shall be entitled, through its representatives, at reasonable times to audit all books and records relating to such receipts.

SECTION 5. This Ordinance shall not become effective as to any of its terms unless within thirty days after its passage it is accepted in writing by the City Public Service Board of the City of San Antonio acting for the Grantee.

PASSED AND APPROVED THIS 13 day of May, 1971.


Mayor

ATTEST:

City Clerk